

Tree Canopy Investment Fund Fee

In November 2006, City of San Antonio City Council amended the Tree Preservation ordinance. The amendments included reducing the protection for certain tree species. City Council recognized that this amendment would reduce the amount of mitigation money that was currently being collected. Therefore City Council created a new fee that is based on permits and the size of the project. No matter whether there are trees on the site or if the site is vested, the Tree Canopy Investment Fund fee will be assessed. The policy that has been created for when the fee is collected is as follows:

- At the building permit stage for new development unless the tree permit is obtained at an earlier stage of development inside the city limits. Then it is collected at the time of obtaining the tree permit.
- At plat recordation in the Extraterritorial Jurisdiction (ETJ = 5 miles outside the city limits) area.

The Tree Canopy Investment Fund fee money is deposited in a specific account and can only be used to plant and maintain trees. The provision from the ordinance is as follows:

Sec. 35-523. Tree Preservation.

(p) Tree Canopy Investment Fund.

(1) Fund Established. The director of finance is hereby directed to establish a dedicated account to be entitled Tree Canopy Investment Fund.

(2) Tree Canopy Investment Fund Fees.

(i) A fee of fifteen dollars (\$15.00) per lot shall be assessed for each residentially platted lot or for each residential building permit issued.

(ii) A fee of twenty-five dollars (\$25.00) per acre or portion thereof shall be assessed for each commercially platted lot or a fee of twenty-five dollars (\$25.00) per acre for each lot for which a commercial building permit is issued by the development services department.

(iii) Fees collected pursuant to the Tree Canopy Investment Fund shall be assessed at the time a tree permit is issued and recorded in the fund created pursuant to this section, unless expressly prohibited by law.

(3) Use of Funds. The funds collected shall be utilized to pay for the planting and maintenance of trees to proactively enhance the city's tree canopy area. The program is to be administered by the development services department. The development services director shall seek the advice of the city forester in regard to the selection of projects to be funded.

(4) Funds to Be Kept Separate. The balance within the fund shall be recorded and accounted for in a manner that distinguishes them from other general funds of the city and shall be disbursed in a manner consistent with the purposes for which this fund has been established. The balance of this fund shall not be transferred to the general fund at the end of each budget year, but rather, the balance remaining in the fund at the close of the city's fiscal year shall roll over into the balance for the next fiscal year.